

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27663 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- RAJNAGAR District- Madhubani

Abhishek Sdahani @ Abhishek Kumar Sahani @ Abhishek Sahni @
Abhishek S/o Sure Sahni @ Suresh Sahni R/o Village Bhatsimar Bhawanipur
PS Rajnagar Distt Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashad, Advocate

For the Opposite Party : Ms/Mrs. Meena Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-05-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 272 and 273/34 of the Indian Penal Code and section 30a of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 130.56 liters foreign liquor was recovered from the house of the petitioner.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on suspicion. No incriminating material has been recovered from the conscious possession of the petitioner rather recovery has been made from the Asbestos house which does not belong to the petitioner. Petitioner has got no criminal antecedent.

5. Learned counsel for the State submits that the recovery has been made from the house of the petitioner, as such, this pre-arrest bail petition is not maintainable in view of Full Bench decision of this Court rendered in the case of **Ram**



Vinay Yadav vs. The State of Bihar reported in **2019(2)**
P.L.J.R. 1089 (F.B.).

6. Considering the aforesaid decision of this Court,
this pre-arrest bail petition is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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